

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANGEL CHEVRETT,

Plaintiff,

-against-

18-cv-6304 (LAK)

ENNIS COMMUNICATIONS CORPORATION, et al.,

Defendants.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

Plaintiff moves for a default judgment against defendants Flexco, LLC ("Flexco") and IFWT, INC. ("IFWT")

Before a district court enters a default judgment, it first may satisfy itself as to whether it has personal jurisdiction. *City of New York v. Mickalis Pawn Shop, LLC*, 645 F.3d 114, 133 (2d Cir. 2011).

According to the public records of the New York Department of State, Flexco is an Indiana limited liability company, the registered agent for which is CT Corporation System.

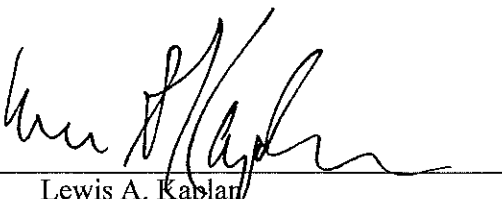
Plaintiff's affidavit of service, however, asserts that Flexco was served personally by service on one Aston Taylor, Jr., in Ardsley, New York who, according to the affidavit was known by the affiant to be authorized to accept service on behalf of Flexco. No facts are stated to support the affiant's claim. Accordingly, the Court has no proper basis upon which to conclude that Flexco was served effectively and thus became subject to the Court's personal jurisdiction.

IFWT stands differently. The public records of the Department of State reveal that it is a New York corporation and that Mr. Taylor is its registered agent for service of process. It was served in the same manner as Flexco. Accordingly, there is no apparent defect in personal jurisdiction as to IFWT.

Accordingly, plaintiff's motion for default judgments against Flexco and IFWT (Dkt 48) is granted as to IFWT and denied as to Flexco. The Court will enter an appropriate judgment against IFWT.

SO ORDERED.

Dated: February 13, 2020



Lewis A. Kaplan
United States District Judge

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